

OBJECTION TO CITY OF DETROIT'S PLAN OF ADJUSTMENT

May 12, 2014

Case #13-53846-swr

Chapter 9

Honorable Steven W. Rhodes

Dear Judge Rhodes:

I am wholeheartedly against the Plan Of Adjustment for multiple reasons: I have lived in Detroit for over forty years. I've seen both good and bad. However, I do not like what is currently happening, not only the kind of crime that pulls down our neighborhoods, but also that which confiscates city assets, future revenues, our rights to elected representation, to redress, to equal protections under Michigan and Federal laws, all under the pretense of providing city services and paying disputable debts. From my understanding, the debt required to be paid to avoid bankruptcy (operating costs) was under \$200 million, not \$18 billion (which this latter number kept changing, as reported in the news, at one point was up to \$21 billion). Even if debts are in the billions, this is Long-Term, (over 30 years) not immediate. Additionally, and for equally strong reasons, I object to the Plan of Adjustment because contracts and even our own State Constitution will be meaningless if what is written in them is manipulated or otherwise set aside for the benefit of those who seem to have more money, rights and authority than for the People which these laws are supposed to stand for and protect--retirees pensions should not be diminished. I object to any cuts to retirees' pensions and benefits. These cuts will lead to financial distress, not only to them, but will cause more loss of homes, and in turn, more blight, crime, and shrinkage of the tax base of the city of Detroit. This plan is not the way to protect people, neither the retirees, nor the rest of us who live in the neighborhoods of Detroit. And I especially object to Governor Snyder pursuing a bankruptcy filing when he is the executive of this state and who is supposed to uphold our state constitution. People deserve to have protections and know what to expect from their contracts and laws in order to *live*, not just corporations and business people who want to know what to expect in order to do business. Finally, we should not be in Federal bankruptcy court in the first place. I object to the management and decisions made by Kevyn Orr . Kevyn Orr has not made legitimate efforts to collect monies owed the City of Detroit and in many cases has also settled for less monies than the city should receive, or agreed to pay more than the city should have to pay, in order to push through more illegitimate plans. Orr has made decisions heavily favoring the large businesses and banks ignoring the many conflicts of interest to the detriment of the city of Detroit. He has not made leases or contracts that benefit the City, to the contrary, Orr has actually made the council, through duress, the threat of loss of pay and elected position, to accept and confirm those leases and contracts which he deems satisfactory, nor has he been genuine about the actual figures and what they mean to the city before he wrongfully filed for bankruptcy.

For example:

*an accounting reported in the news earlier this year said that Detroit actually had a \$6,000,000 surplus last year;

- *billionaire Mike Ilitch owes the City of Detroit upwards of \$80,000 for a water bill , on Joe Louis Arena (but homeowners are getting shutoffs?);
- *taxes owed by Mike Ilitch were pared down in order to push the new Olympia/Red Wings arena complex project,
- * money will be diverted to Ilitch's new PUBLIC/private arena project that does take *public* dollars from Detroit (a bankrupt city) and support a wealthy businessman and his future business profits, and,
- *this same arrangement also requires the City to lose a part of history, Joe Louis Arena, and any revenues that could have been obtained from its future use after the Red Wings depart from it because of the terms that benefit Ilitch and not the City of Detroit;
- *the losses for the City from the poorly negotiated renewal of the retroactive lease agreement on Joe Louis Arena (rent, concessions, cable revenue, and parking);

Similarly, the lease of Belle Isle to the State of Michigan was absolutely wrong. Belle Isle is extremely valuable culturally to a majority of the current citizens of Detroit, just as much, if not more so than the DIA art, yet no effort was made to retain the island for Detroit residents' long-term financial benefit, access and enjoyment. The numbers provided by Mr. Orr were fuzzy and changing. His logic, in my opinion was wrong as well. Why would anyone give up a billion dollar plus internationally known,, water fronted asset and all future revenues, essentially forever, to save supposedly four to six million dollars annually? The terms Mr. Orr put in the lease, and the subsequent choice by Governor Snyder's commission did not mandate an agreement that was in the best interest of Detroit and its financial needs. The Master Plan for Belle, Isle including federal grants or even the coerced city council's shorter lease plan were better alternatives to help the city and treat Detroit residents with respect. I would have to live well into my 90's to ever have a say about Belle Isle again.

I object to the transferring of City of Detroit assets into any kind of trust, authority, or conservancy, such as the Detroit Institute of Arts, our waterfront all along the Detroit River, including Belle Isle, the Detroit Water and Sewage Department (DWSD), the Downtown Development Authority (DDA), the Detroit Land Bank or any other entity which retains control of assets and revenues, and therefore, does not contribute to the long-term financial stability of the City itself, the needs of its current residents, and especially not without a VOTE of the People.

I am especially objecting to the crisis that the governor has helped to create and then tries to void the rights of Michigan citizens, currently Detroit and other largely African-American cities, and then provide benefit to business colleagues like Ilitch and Penske at the expense of the rest of us. I have sincere disgust for persons who only follow the laws they choose to, and then, to suit themselves, either manipulate or change the laws they don't like or those which don't benefit their goals such as with PA436; this benefits big business and not individual citizens. Also, I feel that it is hypocritical what the Governor is doing. He expects every city or municipality to stay within a budget, or else be taken over by a financial manager of one sort or another. On the other hand, the Governor receives free-money through his 501(c)4 funds, which he travels the world and uses for his goals without any accountability to the citizens of

Michigan. The Governor says that he does not know who donates to these funds. I don't believe that. And even though he ended the so-called N.E.R.D. fund because of negative outcries, what has happened with the other two? We don't need private money helping to import new people to Michigan until we hire the people who are already living here. We don't need private money to take over our Island, or our museum art, or push out the old, retired, African-American, or poor to make Detroit better. What we do need is fairness, justice, and equal rights under our United States Constitution for the People.

We need cooperation from the Federal government, State, and businesses to assist us, not have them pull the rug out from under us when things are difficult already. An example of this kind of cooperation is the Belmont area of Detroit that was featured last year (3-13-2013) where some of these entities worked cooperatively together to improve the community without a takeover or permanent loss of assets. Please see attached document, *Detroiters Help Foster Relationships To Improve Her Community*.

I feel as though I've wakened in a foreign country, like one hears about on the news --one of those in which we as Americans are trying to spread democracy, not one in which we have to "set aside democracy for a time" (while we have an unelected emergency manager appointed by the Governor; --one of those in which we advocate for laws to be followed and its people treated fairly, not one in which laws voted by the People are overridden, elected officials are coerced to accept unacceptable plans that are not in the best interest of the citizenry and fraught with conflicts of interest, secrecy, and misinformation;

I am ashamed of my country when these unconstitutional events are increasingly occurring unchecked: while I see that unfulfilled duties of the governor are overlooked while at the same time due process for Michigan citizens is ignored, when people are threatened to take financial cuts that were contractually made and constitutionally protected seem to be irrelevant, when people are forced to give up their rights of appeal or redress, and when only the laws that favor those who make or heavily influence the laws seem to be followed. The cart is before the horse--It is unconscionable to me that the constitutionality of PA436 has not been determined before any bankruptcy issues are to be decided.

I am saddened that ignorance of such complex laws put average citizens of this country at a severe disadvantage to the power and influence of the dollars in our system of politics and law, and even more distressed that our increasing educational inequality will maintain, and even worsen, the social problems that result from this lack of knowledge.

I was also very saddened with the decision not to choose Dr. Peter Hammer for his expertise in analyzing the Plan of Adjustment, based on the fact that race and social injustice are two major contributors to the overall set of problems here in Detroit. I have personally seen racism, from my mother telling us that our first home in the 1960s on the northwest side of Detroit had a deed that disallowed my parents to sell to black persons; and the late 1980s, when I saw that

young black women could not receive an application for employment because of the color of their skin; to the racist ideas of a sports team owner; or the ignorant racist comments of a cattle rancher who breaks the law; or the idea that an arbitrary set of criteria like advantage can get you into a university(a parent alumni) , but not a disadvantage (being African American); or the idea that racism does not exist this day in age because, of course, we have a black president. Anyone who believes that we have a fair society is sadly mistaken.

Again I feel as though we the people of Detroit, and especially African Americans, are being treated as irrelevant and disposable elements of this whole process and the outcome only truly matters for big business, mainly the banks and billionaires or their business operations' bottom lines, because if anyone believes that pouring millions of dollars taking down an unending cascade of homes is the answer to Detroit's woes, then I believe we are not innovative problem solvers like we try to make ourselves out to be for the rest of the world. I believe that the ultimate purpose of having a constitution is to provide for the general welfare of people. But I thought that the Federal government was supposed to protect the People, not just from outside harm, but also from harm within, whether it be state government, business and industry, or any other persons who would take away our Constitutionally protected rights. Am I wrong?

I don't mean to be disrespectful in any way, I just want to express what I think about what I've observed. Please take what I have said into serious consideration and stop this bankruptcy. Thank you Judge Rhodes.

Sincerely,

Dawn M. DeRose

Dawn DeRose
910 Seward Apt. 206
Detroit, MI 48202
(313) 872-5298

Detroit helps foster relationships to improve her community

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By Alexis Wiley, Fox 2 News - [email](#)



Shirley Burch said "when people come together... you've got a win-win situation." (Credit: Fox 2 News)DETROIT (WJBK) -

A woman connected her local businesses with the community they serve, and together they're making a difference in her Detroit neighborhood.

"How I grew up, everybody cared for their property. Everybody knew one another. It was more vibrant with businesses," said Shirley Burch.

She is determined to bring that back to her Detroit neighborhood, and she has started by focusing on its assets.

A shopping center at Eight Mile and Dequindre is a big one. It has a full-service grocery store, plenty of retail and is undergoing a transformation to become more inviting to shoppers and retailers.

Belmont Shopping Center has been in Tom Petzold's family for 55 years.

"Ms. Burch called me to ask if... she could meet because... she wanted to... host a festival," said Petzold.

Together, they're doing what the City of Detroit cannot. Petzold and business owners partnered with the community and raised half a million dollars to renovate the city park right behind the shopping center.

That sparked even more investment. The Kellogg Foundation donated a state of the art playscape. Miguel Cabrera kicked in \$20,000 so the neighborhood's little leaguers would have a quality field. Downtown Detroit powerhouse Quicken Loans helped fund a walking path.

"We wanted to continue to grow where people can come outside, get out of their house, and not be afraid," Burch said.

Belmont Shopping Center donated a space to the Detroit Police Department so it could open a mini station. Burch also created a community partnership with the Wayne County Sheriff's Office. Their hard work has led to a drop in crime and is drawing new businesses like a Coney Island, one of the only sit down restaurants in this northwest Detroit neighborhood.

"Most definitely this is a model for success," Petzold said.

A model that other neighborhoods may want to try, and it all started with one woman determined to build relationships to make a difference.

"Without Ms. Burch, I honestly wouldn't have ever gotten to where I have in terms of understanding the community, respecting the community, and wanting to provide a better property for the community," said Petzold.

"When people come together, build a relationship with business, schools, churches and the police, then you've got a win-win situation," said Burch.

Source: <http://www.myfoxdetroit.com/story/21636726/detroit-woman-helps-foster-relationships-to-improve-her-community>